

PLANNING BOARD
TOWN OF WILBRAHAM
240 Springfield Street
Wilbraham, Massachusetts 01095

Christopher Leisey, Chairman
Richard Butler
Frederic Fuller
Patricia Ross
Edward Stevenson
Adam Basch, Associate



John Pearsall, Planning Director
Karen Benoit, Admin. Assistant

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MINUTES OF THE WILBRAHAM PLANNING BOARD
WEDNESDAY, SEPTEMBER 5, 2007

In attendance: Christopher Leisey, Chairman
Richard Butler (Arrived at 8:15 PM)
Frederic Fuller
Patricia Ross
Edward Stevenson

Staff: John Pearsall, Planning Director
Lance Trevallion, Building Inspector (Departed at 7:45 PM)
Karen Benoit, Administrative Assistant

The meeting was called to order at 7:03 PM by Chairman Leisey.

1. Approval of Minutes

Chairman Leisey called for a motion to approve the minutes of the August 22, 2007 meeting as submitted.

MOTION (STEVENSON, FULLER): To approve the minutes from the August 22, 2007 meeting as submitted. Approved (3-0, Ross abstained).

2. Building Inspector's Report

Building Inspector Lance Trevallion advised the Board that the Zoning Board of Appeals public hearing for 855 Ridge Road has been continued, and a site visit will be scheduled. He also advised that the proposal for the pizza restaurant to be located at 1 Crane Park Drive has also been continued pending a site visit as there was a fair amount of opposition from abutters. Both hearings will reconvene on September 27th.

3. Miscellaneous Information

The Board briefly reviewed the following miscellaneous information:

- A. Reminder – Site Visit to Miller Property, 600 Glendale Road – 9/9/07 at 9:30 AM**
- B. Attorney General Approval – Warrant Articles 28, 34-38, 41, 43**
- C. William Holden Memo – Walking Path Posted Notices, 16 Bellows Road**

4. **Appointment – Town Counsel Michael T. Hassett, Esq. and Dennis Tully, Esq.**
Washington Road – Access and Improvements

Town Counsel Michael Hassett and Attorney Dennis Tully appeared before the Planning Board to discuss their findings in relation to legal access on Washington Road and possible improvements allowed thereon. [See minutes of 8/22/07]. Both attorneys concurred through their research that the owner of 90 Washington Road has an easement by estoppel to use Seneca Street that could be considered legal access. Mr. Hassett and Mr. Tully added that under Mass. General Laws Chapter 187, Section 5, the owners of Seneca Street have a right to improve the road. If, however, the developer wished to bring the road up to Town standards at his own expense, he would first need express permission from each owner of Seneca Street. They also added that there is no guarantee that the use of the private way would not be challenged as overloading or overburdening the easement.

5. **Appointment – R.J. Chapdelaine**
Nonsub (07-07) Trail Easement – 1V & 3V High View Circle

R.J. Chapdelaine, owner of 1V & 3V High View Circle, presented Nonsub Plan (07-07). The plan shows the proposed 10-foot wide ridgeline hiking trail easement on Lot #3 to accommodate the ridgeline hiking trail. The plan also shows the division of Lot #8 into revised Lot #8 and Lot 8A; Lot #8A is to be deeded to the Town of Wilbraham in order to accommodate the ridgeline hiking trail. Mr. Chapdelaine requested the endorsement of the Board.

MOTION (STEVENSON, ROSS): To approve Nonsub Plan (07-07) as submitted, and authorize Chairman Leisey to endorse the plan. Approved (4-0).

Chairman Leisey endorsed the plan.

6. **Appointment – Paul Trombley**
Proposed Nonsub Plan – 86-86A Manchonis Road

Paul Trombley, owner of 86-86A Manchonis Road, approached the Planning Board with plans to divide his property into two parcels: one lot with the existing home and detached accessory apartment will continue to have frontage on Manchonis Road, and the other vacant parcel will front on Washington Road, an unimproved private way. The Board acknowledged that zoning requirements for area and setbacks can be met, but there is no suitable access on the unimproved private way and, therefore, no legal frontage for the proposed vacant lot. The Board also noted that the parcel is nonconforming with two dwellings on one lot and cautioned that the proposed division would make the property more nonconforming.

7. **Appointment – John and Florence Kibbe**
Proposed Home Occupation – 6 Parkwood Drive

John and Florence Kibbe met with the Planning Board informally to discuss their application with the Board of Appeals to operate a home occupation from their property located at 6 Parkwood Drive. The Kibbe's presented and reviewed a plan of their property showing a 10' by 10' office in their detached garage. The home office they operate is a fire and water damage restoration business. They have no employees, no deliveries, no customers and no trucks involved in the business. The Planning Board found no issues with the proposal and agreed to submit a letter to the Board of Appeals recommending approval.

8. Appointment – Grand Master Kim

Proposed Swimming Pool – U.S. Tai Kwon Do Center, 28 Stony Hill Road

Grand Master Kim appeared before the Planning Board to continue discussions relating to the proposed pool at the U.S. Tai Kwon Do Center located at 28 Stony Hill Road. [See minutes of 2/7/07 and 3/7/07]. Town Counsel Michael Hassett was also present to review his findings and opinion surrounding the issues of dual zoning as well as the easement language in the deed dated 5/3/1983, portions of which were read into the record. The Board reviewed the process involved to release the Town's easement and either rezone the parcel from residential to general business, or keep the property as currently zoned and file for a special permit from the Board of Appeals for a low-density recreational use. The Planning Board agreed to work with the property owner and Town Counsel to prepare any actions required from the Town before next year's Annual Town Meeting.

9. Appointment – Alex Haldopolous

Site Grading/Clearing Plan – 9 Squire Drive (Lot #4)

Alex Haldopolous appeared before the Planning Board representing Sean Halbrook, owner of 9 Squire Drive (Lot #4) to present a site grading/clearing plan. Planning Director John Pearsall stated that he spoke with Building Inspector Lance Trevallion regarding the retaining walls shown on the plan, which are of some concern in relation to their height, and the building codes must be reviewed during the application process. Mr. Haldopolous was also advised that the owner will need a storm water management permit through the engineering department, and they will also review the grades of the driveway and property.

MOTION (STEVENSON, FULLER): To approve the site grading/clearing plan for 9 Squire Drive (Lot #4). Approved (5-0).

10. Nonsub Plan (07-08) -- Optasite Towers, LLC WCF, 805/805R Stony Hill Road

Planning Director John Pearsall presented the Board with nonsub plan (07-08) submitted by Optasite Towers, LLC showing the combination of 805 and 805R Stony Hill Road as conditioned in the WCF Special Permit (SP07-06).

MOTION (STEVENSON, ROSS): To approve Nonsub Plan (07-08) as submitted, and authorize Chairman Leisey to endorse the plan. Approved (4-0, Butler absent and not voting).

Chairman Leisey endorsed the plan.

11. Old Business

The Planning Board reviewed the following draft special permit decisions:

A. (SP-07-09) – Fisher, 3 Marilyn Drive

**MOTION (STEVENSON, BUTLER): To approve the draft decision granting Special Permit Application (SP07-09), Land of Fisher, 3 Marilyn Drive, subject to conditions.
Approved (4-0, Ross abstained).**

B. (SP07-08) – Huijing, 130V Ridge Road

**MOTION (STEVENSON, FULLER): To approve the draft decision denying Special Permit Application (SP07-08), Land of Atsatt and Patterson, 130V Ridge Road, as submitted.
Approved (4-0, Ross abstained).**

C. (SP07-10) – Aaron, 6 Autumn Road

**MOTION (FULLER, BUTLER): To approve the draft decision approving Special Permit Application (SP07-10), Land of Aaron, 6 Autumn Road, subject to conditions.
Approved (4-0, Ross abstained).**

12. WCF Removal Bonds

A. National Grid WCF, 658 Main Street – Cancellation Notice

Planning Director John Pearsall advised the Board that the Travelers Casualty and Surety Company of America has submitted a cancellation notice for the tower removal bond on the National Grid wireless communications facility located at 658 Main Street to take effect on September 24, 2007. According to Director of Treasury Diane Tracey, in May of 2007, M/C Venture Partners and Wachovia Capital Partners joined together to purchase National Grid Wireless, a wholly owned subsidiary of National Grid Communications, Inc., and changed the name to Lighttower Wireless, LLC. Ms. Tracey stated that a new bond from Travelers Casualty and Surety Company of America will be submitted to replace the existing bond.

B. Omnipoint Communications WCF, 2420 Boston Road – For Approval

Planning Director John Pearsall advised the Planning Board that Optasite Towers, LLC has submitted a \$25,000 removal bond for their wireless communications facility to be located at 2420 Boston Road. The Board briefly reviewed and discussed the bond language and found it to be acceptable.

MOTION (BUTLER, FULLER): To approve the \$25,000 removal bond as submitted and authorize Chairman Leisey to endorse the bond. Approved (4-0).

Chairman Leisey endorsed the bond.

Having no further business, the meeting was adjourned at 8:50 PM. The Board will reconvene at its next scheduled meeting on **September 19, 2007, at 7:00 PM** in the Selectmen's Meeting Room at the Wilbraham Town Office Building.

Submitted:

Approved As To Form And Content:

Karen Benoit, Administrative Assistant
Date: _____

Richard Butler, Clerk
Date: _____